

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of: Mark A. FELKEY <i>et al.</i>	Confirmation No.: 7571
Application No.: 10/051,282	Examiner: Thien, Maria Teresa T
Filed: January 22, 2002	Group Art Unit: 3627
Attorney Docket No.: WMA01001	

For: METHOD AND SYSTEM FOR PROCURING TELECOMMUNICATIONS
SERVICES ON-LINE

Commissioner for Patents
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

This Appeal Brief is submitted in support of the Notice of Appeal dated December 2,
2010.

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I. REAL PARTY IN INTEREST

The real party in interest of the present application, solely for purposes of identifying and avoiding potential conflicts of interest by board members due to working in matters in which the member has a financial interest, is Verizon Communications Inc. and its subsidiary companies, which currently include Verizon Business Global, LLC (formerly MCI, LLC) and Cellco Partnership (doing business as Verizon Wireless, and which includes as a minority partner affiliates of Vodafone Group Plc). Verizon Communications Inc. or one of its subsidiary companies is an assignee of record of the present application.

II. RELATED APPEALS AND INTERFERENCES

A Decision was rendered by the Board of Patent Appeals and Interferences, on November 24, 2010, in related Application Serial No. 10/051,180, affirming the decision of the Examiner.

III. STATUS OF THE CLAIMS

Claims 1, 3, 7-10, 12, 14, 21, 22, 27-30, 32-35, and 37-41 are pending. Claims 37-39 stand withdrawn from consideration pursuant to the provisions of 37 C.F.R. §1.142(b). Claims 2, 4-6, 11, 15-20, 23-26, 31, and 36 have been canceled. Claim 28 is an original claim. Claims 1, 3, 7-10, 12, 14, 21, 22, 27, 29, 30, 32-35, 40, and 41 were previously presented. No claim is allowed. This appeal is therefore taken from the final rejection of claims 1, 3, 7-10, 12, 14, 21, 22, 27-30, 32-35, 40, and 41 on September 2, 2010.

IV. STATUS OF AMENDMENTS

No amendment to the claims, other than the cancellation of claims 11, 17, and 23 in an Amendment filed November 2, 2010, has been filed subsequent to the issuance of the Final Office Action on September 2, 2010.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The following summary of the presently claimed subject matter indicates certain portions of the specification (including the drawings) that provide examples of embodiments of elements of the claimed subject matter. It is to be understood that other portions of the specification not cited herein may also provide examples of embodiments of elements of the claimed subject matter. It is also to be understood that the indicated examples are merely examples, and the scope of the claimed subject matter includes alternative embodiments and equivalents thereof. References herein to the specification are thus intended to be exemplary and not limiting.

Independent claim 1 recites:

1. A computer-implemented method for procuring telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

receiving, via the at least one processor, a pre-sale procurement inquiry from a customer application, the pre-sale procurement inquiry specifying a selected telecommunications offering from a plurality of offerings including voice service, data access service and mobile telecommunications service (See, e.g. Fig. 3, Specification, ¶¶ [08], [09], [14]), the pre-sale procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”);

providing, via the at least one processor, an option for accessing a network consultant via instant messaging (See, e.g., Specification, ¶¶ [60], [61]);

generating, via the at least one processor, pre-sale procurement data relating to the selected telecommunications offering in response to the pre-sale procurement inquiry (See, e.g., Fig. 3, Specification, ¶ [09]); and

transmitting, via the at least one processor, the pre-sale procurement data to the customer application (See, e.g., Fig. 3, Specification, ¶ [09]).

Independent claim 12 recites:

12. A computer-implemented method for servicing telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

receiving, via the at least one processor, a pre-sale inquiry from a customer application, the pre-sale inquiry specifying a search criteria with respect to an order for one of a plurality of telecommunications offerings including voice service, data access service and mobile telecommunications service, that a customer who is not yet a subscriber (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”) has initiated, wherein a customer agent assigned for servicing a telecommunications offering order is available via instant messaging with a user of the customer application (See, e.g., Specification, ¶ [09]); and

generating, via the at least one processor, response data in response to the pre-sale inquiry and pertaining to the search criteria (See, e.g., Specification, ¶ [09]); and

transmitting, via the at least one processor, the response data to the customer application (See, e.g., Specification, ¶ [09]).

Independent claim 21 recites:

21. A computer-implemented method for procuring telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

submitting, via the at least one processor, a pre-sale inquiry specifying a selected telecommunications offering from among a voice service offering, a data access offering and a mobile telecommunications offering, the pre-sale inquiry being directed at least to telecommunication services to which a customer who is not yet a subscriber (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”) is considering a subscription (See, e.g., Specification, ¶ [08]);

establishing, via the at least one processor, an instant messaging session with a customer service personnel (See, e.g., Specification, ¶¶ [60], [61]); and

receiving, via the at least one processor, pre-sale procurement data (See, e.g., Specification, ¶ [09]),

wherein the pre-sale procurement data is generated in response to the pre-sale inquiry and pertains to the selected telecommunications offering (See, e.g., Specification, ¶ [09]).

Independent claim 27 recites:

27. A system for procuring and servicing telecommunications offerings, comprising:

- a customer browser loaded on a customer client computer, the customer browser being configured to submit a procurement inquiry specifying a selected telecommunications offering from among a voice service offering, a data access service offering and a mobile telecommunications offering, the procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”) is considering a subscription (See, e.g., Fig. 5b; Specification, ¶ [13]);
- a back office browser loaded on a back office client computer, the back office browser being configured to submit a service inquiry specifying a search criteria with respect to an order for a telecommunications offering, the service inquiry being directed at least to the status of the order of the telecommunication service which a customer who is not yet a subscriber has initiated, wherein a customer agent assigned for servicing a telecommunications offering order is available via instant messaging with the customer client computer (See, e.g., Fig. 5b; Specification, ¶ [13]); and
- a server program loaded on a server computer and being configured to receive the procurement and service inquiries, generate procurement data pertaining to the selected telecommunications offering and service data pertaining to the search criteria, and transmit the procurement and service data (See, e.g., Fig. 5b; Specification, ¶ [13]).

Independent claim 35 recites:

35. An apparatus for procuring telecommunications offerings, comprising:
means for receiving a pre-sale procurement inquiry from a customer application, the pre-sale procurement inquiry specifying a selected telecommunications offering including voice

service, data access service and mobile telecommunications service, the pre-sale procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”) is considering a subscription (See, e.g., Specification, ¶ [08]);

means for providing an option for accessing a network consultant via instant messaging (See, e.g., Specification, ¶¶ [60], [61]);

means for generating procurement data responsive to the pre-sale procurement inquiry (See, e.g., Figs. 3, 5a Specification, ¶ [54]); and

means for transmitting the procurement data to the customer application (See, e.g., Fig. 5a; Specification, ¶¶ [55], [56]).

Independent claim 40 recites:

40. A method for electronic provisioning of telecommunication services, wherein a computer program is configured to control at least one processor to perform operations comprising:

providing, via the at least one processor, a plurality of options to communicate with a consultant during the provisioning, wherein the options include instant messaging and on-line shared white-boarding, wherein the option is displayed via a customer application to a user, the provisioning including at least a pre-sale inquiry directed at least to one or more telecommunication services to which a customer who is not yet a subscriber (See, e.g., Fig. 5a; Specification, ¶¶ [07]-[14], e.g., ¶ [07] recitation of “new” customer...for “pre-sale”) is considering a subscription (See, e.g., Fig. 5a; Specification, ¶¶ [54], [55]);

receiving, via the at least one processor, input from the customer application, the input specifying one or more selections of a plurality of telecommunication products (See, e.g., Fig. 5a; Specification, ¶ [56]);

determining, via the at least one processor, whether the selection is valid during the provisioning (See, e.g., Fig. 5a; Specification, ¶¶ [56]-[60]); and

generating, via the at least one processor, an order for the selection based on the determining step (See, e.g., Fig. 5a; Specification, ¶¶ [56]-[60]).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-26, 35, and 36¹ were rejected for obviousness under 35 U.S.C. §103(a) based on *Leonard* (US 6,085,171) in view of *Bednarek* (US 6,965,868).

Claims 27-30 and 32-34 were rejected for obviousness under 35 U.S.C. §103(a) based on *Leonard* (US 6,085,171) in view of *Bednarek* (US 6,965,868) and further in view of *Sridhar et al.* (US 6,098,108).

Claims 40 and 41 were rejected for obviousness under 35 U.S.C. §103(a) based on *Leonard* (US 6,085,171) in view of *Bansal* (US 6,788,949).

¹ Claims 2, 4-6, 11, 15-20, 23-26, and 36 were previously canceled and should form no part of the rejection, or of this appeal.

VII. ARGUMENT

A. **CLAIMS 1-26, 35, AND 36 ARE NOT RENDERED OBVIOUS BY LEONARD AND BEDNAREK BECAUSE NEITHER REFERENCE TEACHES OR SUGGESTS THE COMBINATION OF A PRE-SALE PROCUREMENT INQUIRY FROM ONE WHO IS NOT YET A SUBSCRIBER, AND THE PROVISION OF AN OPTION TO ACCESS AN ONLINE CONSULTANT VIA INSTANT MESSAGING.**

The initial burden of establishing a *prima facie* basis to deny patentability to a claimed invention under any statutory provision always rests upon the Examiner. *In re Mayne*, 104 F.3d 1339, 41 USPQ2d 1451 (Fed. Cir. 1997); *In re Deuel*, 51 F.3d 1552, 34 USPQ2d 1210 (Fed. Cir. 1995); *In re Bell*, 991 F.2d 781, 26 USPQ2d 1529 (Fed. Cir. 1993); *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In rejecting a claim under 35 U.S.C. § 103, the Examiner is required to provide a factual basis to support the obviousness conclusion. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 357 F.2d 385, 148 USPQ 721 (CCPA 1966); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970).

Independent claim 1 recites, *inter alia*, “receiving, via the at least one processor, a **pre-sale** procurement inquiry from a customer application, the **pre-sale** procurement inquiry specifying a selected telecommunications offering from a plurality of offerings...” (Emphasis Added). Independent claim 12 recites, *inter alia*, “receiving, via the at least one processor, a **pre-sale** inquiry from a customer application, the **pre-sale** inquiry specifying a search criteria with respect to an order for one of a plurality of telecommunications offerings...” (Emphasis Added). Independent claim 21 recites, *inter alia*, “submitting, via the at least one processor, a **pre-sale** inquiry specifying a selected telecommunications offering from among a voice service offering, a data access offering and a mobile telecommunications offering, the **pre-sale** inquiry being

directed at least to telecommunication services to which a customer who is not yet a subscriber is considering a subscription” (Emphasis Added). Independent claim 35 recites, *inter alia*, “means for receiving a **pre-sale** procurement inquiry from a customer application, the **pre-sale** procurement inquiry specifying a selected telecommunications offering including voice service, data access service and mobile telecommunications service, the **pre-sale** procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription” (Emphasis Added).

Thus, each of independent claims 1, 12, 21, and 35 recites that the inquiry, or procurement inquiry relates only to “pre-sale” procurement inquiries, i.e., inquiries by individuals who are not, presently, customers of on-line services in which they have an interest, but only potential customers. In contrast, *Leonard* is directed only to processing orders of **current** service provider **customers** who are changing communication services. Thus, in *Leonard*, there is no disclosure or suggestion of a prospective subscriber, or one who is not yet a subscriber, making a pre-sale procurement inquiry as to what offerings are available. Rather, in *Leonard*, the customer already knows, or does not care, exactly what offerings are available from the new service provider, or communication service, and there is no pre-sale procurement inquiry regarding such offerings. In *Leonard*, there is **only a communication service change order**, which needs to be processed. *Bednarek*, employed for the supposed teaching of providing an option for accessing a network consultant via instant messaging, does not cure the deficiencies of *Leonard*.

At pages 11-12 of the Final Office Action, the Examiner asserted that *Leonard*’s processing an order to change communication services or the receiving of an order when a customer desires to change a communication service may be interpreted as a change in service providers, referring to col. 3, lines 57-60 of *Leonard*. It is further asserted that a change including

a change in service providers is considered “a prospective subscriber or one who is not yet a subscriber, making a pre-sale procurement inquiry as to what offerings are available.” Appellants respectfully disagree.

A “change,” as in *Leonard*’s “change communication service” (col. 3, line 58), indicates that a customer is already a subscriber and merely desires to “change” a communication service from one that the customer already has, or “change” a service provider from one the customer already has. For example, the reference, on col. 3, lines 58-62, discloses the following: “A change in communication service contemplates **changing or adding** a service provider, changing or adding service offered by an **existing service provider**, or any other **modification** to services provided to customer 230” (Emphasis Added). Thus, there is no **new** service in *Leonard*, at best, only a **different** service with the same or new service provider. It is clear from the disclosure of *Leonard* that a customer therein is **already a subscriber to some service**; therefore, there can be no “pre-sale procurement inquiry” because there has already been a “sale” at some point, and there is no “customer who is not yet a subscriber” to some service.

Therefore, for this reason alone, no *prima facie* case of obviousness has been established with regard to the subject matter of claims 1, 3, 7-10, 12, 14, 21, 22, and 35.

Moreover, each of independent claims 1, 12, 21, and 35 recites, **in combination with the procurement of a “new” service**, “providing, via the at least one processor, an **option for accessing a network consultant via instant messaging**,” or something akin thereto. As acknowledged by the Examiner, *Leonard* discloses no such feature. *Bednarek*, employed for this asserted teaching, does, indeed, teach providing access to a network consultant via instant messaging. However, in *Bednarek*, accessing a network consultant is **not an “option,”** as claimed. Rather, *Bednarek* **always** provides for the network consultant. For example, at col. 11,

lines 64-66, of *Bednarek*, it is recited, “A customer and sales agent **then engage in** real time dialogue either through video conferencing, **instant messaging**, of voice over the Internet” (Emphasis Added). But just prior to that recitation, *Bednarek* discloses that “a customer can enter the vetail website and **select either a category product or particular sales agent** to deal with” (Emphasis Added), which only appears as if the customer has a choice to deal with a sales agent. However, in the very next line, *Bednarek* states, “If the customer selects a particular category of goods, they must select either their sales agent or the first available sales agent.” Thus, the customer in *Bednarek* must always communicate with a network consultant, or sales agent because if the customer selects a particular sales agent to deal with, the customer deals with that agent; but if the customer selects a category product, this selection leads to a selection of “either their sales agent or the first available sales agent.” Accordingly, the paths might be different but the destination is always the same in *Bednarek*; and that destination is always a sales agent (either one of the customer’s choosing or the first available agent). Therefore, unlike the claimed subject matter, neither *Bednarek* nor *Leonard* provides for an option to access “a **network consultant via instant messaging**.” If *Bednarek* always provides for a communication with a sales agent, then, clearly, the customer is not given the **option to access or to not access** that sales agent.

At pages 12-15 of the Final Office Action, the Examiner asserted that the combination of references does disclose an option to access a network consultant via instant messaging because customers in *Leonard* communicate from communication devices using various types of links. Therefore, the Examiner concluded that the communication device may be a landline or cellular telephone, etc., or “any other device for communicating.” With this as a basis, the Examiner turned to *Bednarek* for a teaching of instant messaging in a virtual retail store, concluding, after

rather strained reasoning, that since there is a certified sales agent and a “display preferably includes some portion for displaying the dialogue between the sales agent and the customer” (Final Office Action-page 14), and somehow, there is considered to be an option to access a network consultant via instant messaging. Appellants respectfully disagree.

With respect to the Examiner’s assertions at pages 12-15 of the Final Office action, to the extent the Examiner is trying to establish that *Bednarek* discloses a customer and a sales agent engaging in instant messaging communication, this is not necessarily disputed. However, as Appellants have maintained, this accessing of a network consultant in *Bednarek* is **not an “option,”** as claimed.

Thus, reversal, by the Honorable Board, of the Examiner’s rejection of claims 1, 3, 7-10, 12, 14, 21, 22, 27-30, 32-35, 40, and 41 under 35 U.S.C. §103(a) is respectfully solicited.

B. CLAIMS 27-30 AND 32-34 ARE NOT RENDERED OBVIOUS BY *LEONARD* AND *BEDNAREK* IN VIEW OF *SRIDHAR ET AL.* BECAUSE *SRIDHAR ET AL.* DOES NOT CURE THE DEFICIENCIES OF *LEONARD* AND *BEDNAREK* AND DOES NOT SUGGEST THE SPECIFIC ELEMENTS OF CLAIM 27.

Independent claim 27 contains the features of independent claims 1, 12, 21, and 35 regarding a “new” subscriber and an option to access an agent via instant messaging. For the reasons *supra*, neither *Leonard* nor *Bednarek* discloses or suggests these features, either alone or in combination. *Sridhar et al.*, relied on for the asserted teaching of a customer browser, a back office browser, a server program communication in accordance with a communication protocol architecture including a web layer and application layer; a database layer, a site intelligence server, and a development, staging, and production system, fails to cure the deficiencies of

Leonard and Bednarek. For this reason alone, no *prima facie* case of obviousness has been established with regard to claims 27-30 and 32-34.

Moreover, these claims are allowable for separate reasons. The customer browser, back office browser, and server program, recited in independent claim 27 are very specific and the interrelationship between these elements are claimed in detail, with, for example, the “back office browser loaded on a back office client computer, the back office browser **being configured to submit a service inquiry specifying a search criteria with respect to an order** for a telecommunications offering” (Emphasis Added), as recited in claim 27, and the “**server program** loaded on a server computer and being configured to receive the procurement and service inquiries, **generate procurement data** pertaining to the selected telecommunications offering and service data pertaining to the search criteria, and **transmit the procurement and service data**” (Emphasis Added), as recited in claim 27.

The distributed directory disclosed by *Sridhar et al.* is, at best, a general disclosure of various components in a network communication system, with no specifics as to service inquiries, generation of procurement data pertaining to a search criteria, transmission of procurement and service data, etc. Thus, except for a resort to impermissible hindsight, employing Appellants’ disclosure and claims as a guide, there would have been no reason for the person of ordinary skill in the art to take anything from *Sridhar et al.* and apply it to the combination of *Leonard and Bednarek* to result in the claimed invention, wherein a back office browser loaded on a back office client computer is **configured to submit a service inquiry specifying a search criteria with respect to an order** for a telecommunications offering, and a **server program** loaded on a server computer is configured to perform three functions, i.e., 1. receive the procurement and service inquiries, 2. **generate procurement data** pertaining to the

the selected telecommunications offering and service data pertaining to the search criteria, and 3. **transmit the procurement and service data.** There is no indication, or suggestion, in *Sridhar et al.*, or in either *Leonard* or *Bednarek*, for that matter, of a server program for performing the claimed three functions.

The Examiner cites Figures 6, 9, 15, and 22, as well as col. 5, lines 7-25, and col. 9, lines 44-58 of *Sridhar et al.* for the recited back office browser, customer browser, server program, database layer, and site intelligence server, but never specifically point out what elements in the reference are asserted to correspond to the claimed elements. Accordingly, no *prima facie* case of obviousness has been established, within the meaning of 35 U.S.C. §103(a).

For these additional reasons, claims 27-30 and 32-34 are allowable, even if the Honorable Board decides otherwise with regard to the other claims.

Therefore, reversal, by the Honorable Board, of the Examiner's rejection of claims 27-30 and 32-34 under 35 U.S.C. §103(a) is respectfully solicited.

C. CLAIMS 40 AND 41 ARE NOT RENDERED OBVIOUS BY *LEONARD* AND *BANSAL* BECAUSE *BANSAL* DOES NOT CURE THE DEFICIENCIES OF *LEONARD* IN FAILING TO DISCLOSE OR SUGGEST THE COMBINATION OF A PRE-SALE INQUIRY AND AN OPTION TO ACCESS A CONSULTANT.

Independent claim 40 recites, *inter alia*, “providing...a plurality of **options** to **communicate with a consultant** during the provisioning, wherein the options include instant messaging and on-line shared white-boarding, wherein the option is displayed, via a customer application, to a user, the provisioning including at least a **pre-sale inquiry** directed at least to one or more telecommunication services to which a **customer who is not yet a subscriber** is considering a subscription” (Emphasis Added).

For the reasons previously argued with regard to claims 1, 3, 7-10, 12, 14, 21, 22, 27-30, 32-35, 40, and 41, *Leonard* lacks any teaching or suggestion of the “new” customer (i.e., a “**pre-sale inquiry**” by “**a customer who is not yet a subscriber**”) or the combination of such a pre-sale inquiry with an **option** of communicating with a consultant. It is interesting to note that while the Examiner acknowledged previously that *Leonard* lacked any suggestion of an option to access a consultant and relied on Bednarek for this asserted teaching, the Examiner now relies only on *Leonard* for this asserted teaching, a teaching which is absent from *Leonard*. *Bansal*, relied on merely for the asserted teaching of instant messaging and on-line shared white-boarding, and web interface, does not cure the deficiencies of *Leonard*.

Therefore, reversal, by the Honorable Board, of the Examiner’s rejection of claims 40 and 41 under 35 U.S.C. §103(a) is respectfully solicited.

VIII. CONCLUSION AND PRAYER FOR RELIEF

For the foregoing reasons, Appellants request the Honorable Board to reverse each of the Examiner's rejections.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

DITTHAVONG MORI & STEINER, P.C.

March 23, 2011
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IX. CLAIMS APPENDIX

1. A computer-implemented method for procuring telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

receiving, via the at least one processor, a pre-sale procurement inquiry from a customer application, the pre-sale procurement inquiry specifying a selected telecommunications offering from a plurality of offerings including voice service, data access service and mobile telecommunications service, the pre-sale procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription;

providing, via the at least one processor, an option for accessing a network consultant via instant messaging;

generating, via the at least one processor, pre-sale procurement data relating to the selected telecommunications offering in response to the pre-sale procurement inquiry; and

transmitting, via the at least one processor, the pre-sale procurement data to the customer application.

3. The method of claim 1, further comprising:

transmitting the pre-sale data comprising value added content, the value added content including at least one of data for matching the selected telecommunication offering with needs of a customer, data for qualifying a customer for the selected telecommunications offering, data for an on-line demonstration of a process for procuring the selected telecommunications offering, or data for answers to technical questions.

7. The method of claim 1, further comprising:

providing the voice service offering to include a complete calling package telecommunications offering, a long distance telecommunications offering, a toll free telecommunications offering, a conferencing telecommunications offering, or a calling card telecommunications offering.

8. The method of claim 1, further comprising:

providing the data access service offering to include a dial up Internet telecommunications offering, or a dedicated Internet telecommunications offering.

9. The method of claim 1, further comprising:

providing the mobile telecommunications service offering to include a paging telecommunications offering, a conferencing telecommunications offering, a calling card telecommunications offering, or a dial up telecommunications offering.

10. The method of claim 1, wherein the customer application provides a graphical user interface.

12. A computer-implemented method for servicing telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

receiving, via the at least one processor, a pre-sale inquiry from a customer application, the pre-sale inquiry specifying a search criteria with respect to an order for one of a plurality of telecommunications offerings including voice service, data access service and mobile telecommunications service, that a customer who is not yet a subscriber has initiated,

wherein a customer agent assigned for servicing a telecommunications offering order is available via instant messaging with a user of the customer application; and generating, via the at least one processor, response data in response to the pre-sale inquiry and pertaining to the search criteria; and transmitting, via the at least one processor, the response data to the customer application.

14. The method of claim 12, wherein the response data includes information for establishing an instant messaging session with the customer agent.

21. A computer-implemented method for procuring telecommunications offerings, wherein a computer program is configured to control at least one processor to perform operations comprising:

submitting, via the at least one processor, a pre-sale inquiry specifying a selected telecommunications offering from among a voice service offering, a data access offering and a mobile telecommunications offering, the pre-sale inquiry being directed at least to telecommunication services to which a customer who is not yet a subscriber is considering a subscription;

establishing, via the at least one processor, an instant messaging session with a customer service personnel; and

receiving, via the at least one processor, pre-sale procurement data,

wherein the pre-sale procurement data is generated in response to the pre-sale inquiry and pertains to the selected telecommunications offering.

22. The method of claim 21, further comprising:
initiating the inquiry via a graphical user interface.

27. A system for procuring and servicing telecommunications offerings, comprising:

- a customer browser loaded on a customer client computer, the customer browser being configured to submit a procurement inquiry specifying a selected telecommunications offering from among a voice service offering, a data access service offering and a mobile telecommunications offering, the procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription;
- a back office browser loaded on a back office client computer, the back office browser being configured to submit a service inquiry specifying a search criteria with respect to an order for a telecommunications offering, the service inquiry being directed at least to the status of the order of the telecommunication service which a customer who is not yet a subscriber has initiated, wherein a customer agent assigned for servicing a telecommunications offering order is available via instant messaging with the customer client computer; and
- a server program loaded on a server computer and being configured to receive the procurement and service inquiries, generate procurement data pertaining to the selected telecommunications offering and service data pertaining to the search criteria, and transmit the procurement and service data.

28. The system of claim 27, wherein the customer and back office browsers and the server program communicate according to a communication protocol architecture that includes a web layer and an application layer, the application layer including a presentation layer and a business and integration layer, the web layer being configured to include the server configured as a web server, the presentation layer being configured to receive requests and user actions from the

server, the business and integration layer being configured to perform order management, online ordering and user management functions.

29. The system of claim 28, wherein the communication protocol architecture interfaces with a database layer configured to store data used by the system and a service availability tool coupled to the application layer,

the service availability tool being configured to provide a service availability function with respect to the selected telecommunications offering.

30. The system of claim 28, further comprising:

a site intelligence server coupled to the web server, the site intelligence server being configured to provide data mining capabilities to gather and report on metrics on the system.

32. The system of claim 27, wherein providing the voice service offering to include a complete calling package telecommunications offering, a long distance telecommunications offering, a toll free telecommunications offering, a conferencing telecommunications offering, or a calling card telecommunications offering.

33. The system of claim 27, wherein the data access service offering to include a dial up Internet telecommunications offering, or a dedicated Internet telecommunications offering.

34. The system of claim 27, wherein the mobile telecommunications service offering to include a paging telecommunications offering, a conferencing telecommunications offering, a calling card telecommunications offering, or a dial up telecommunications offering.

35. An apparatus for procuring telecommunications offerings, comprising:

means for receiving a pre-sale procurement inquiry from a customer application, the pre-sale procurement inquiry specifying a selected telecommunications offering including voice service, data access service and mobile telecommunications service, the pre-sale procurement inquiry being directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription;

means for providing an option for accessing a network consultant via instant messaging;

means for generating procurement data responsive to the pre-sale procurement inquiry; and

means for transmitting the procurement data to the customer application.

40. A method for electronic provisioning of telecommunication services, wherein a computer program is configured to control at least one processor to perform operations comprising:

providing, via the at least one processor, a plurality of options to communicate with a consultant during the provisioning, wherein the options include instant messaging and on-line shared white-boarding, wherein the option is displayed via a customer application to a user, the provisioning including at least a pre-sale inquiry directed at least to one or more telecommunication services to which a customer who is not yet a subscriber is considering a subscription;

receiving, via the at least one processor, input from the customer application, the input specifying one or more selections of a plurality of telecommunication products;

determining, via the at least one processor, whether the selection is valid during the provisioning; and

generating, via the at least one processor, an order for the selection based on the determining step.

41. A method according to claim 40, wherein the customer application provides a web-based interface.

X. EVIDENCE APPENDIX

Appellants are unaware of any evidence that is required to be submitted in the present Evidence Appendix.

XI. RELATED PROCEEDINGS APPENDIX

Appellants are unaware of any related proceedings that are required to be submitted in the present Related Proceedings Appendix.